

TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A FILING UNDER 35 U.S.C. 371

11 006

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/622629

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/EP98/08568

December 30, 1998

February 18, 1998

TITLE OF INVENTION

CALORICALLY DENSE NUTRITIONAL COMPOSITION

APPLICANT(S) FOR DO/EO/US

David A. MARK, Dana TWYMAN, and Tom MICHALSKI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☐ Other items or information:

533 Rec'd PCT/PTO 17 AUG 2000

ATTORNEY'S DOCKET NUMBER
112701-006U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR
09/622628INTERNATIONAL APPLICATION NO.
PCT/EP98/08568

CALCULATIONS PTO USE ONLY

21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | |
|------------------------------------|--------------|--------------|-----------|-----------------|
| | | 0 | x \$18.00 | \$0.00 |
| Total claims | 10 - 20 = | 0 | x \$78.00 | \$0.00 |
| Independent claims | 3 - 3 = | 0 | | \$0.00 |
| TOTAL OF ABOVE CALCULATIONS | | | | \$840.00 |

Multiple Dependent Claims (check if applicable).
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).**SUBTOTAL =**

Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

TOTAL FEES ENCLOSED =Amount to be:
refunded \$
charged \$☒ A check in the amount of \$840.00 to cover the above fees is enclosed.☐ Please charge my Deposit Account No. _____ in the amount of _____
A duplicate copy of this sheet is enclosed.☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-1818 A duplicate copy of this sheet is enclosed.**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**SEND ALL CORRESPONDENCE TO:**Robert M. Barrett, Esq.
Bell, Boyd & Lloyd LLC
P.O. Box 1135
Chicago, IL 60690-1135

SIGNATURE

Robert M. Barrett

NAME

30,142

REGISTRATION NUMBER

August 17, 2000

DATE

09/622629

CERTIFICATE OF MAILING "EXPRESS MAIL" (37 CFR 1.1)

Applicant(s): Mark et al.

Docket No.

112701-006

Serial No.

Unknown

Filing Date

Herewith

Examiner

Unknown

Group Art Unit

Unknown

Invention:

CALORICALLY DENSE NUTRITIONAL COMPOSITION


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I hereby certify that the following correspondence:

Transmittal Letter to the U.S. Designated/Elected Office (duplicate); Copy of Published Application; Declaration and Power of Attorney (4 pages); International Preliminary Examination Report; International Search Report; Check in the amount of \$840.00; and Return Receipt Postcard.

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

August 17, 2000*(Date)*Renee Street*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EL132 991 004 US*("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.